

191—105.7(523A,82GA,SF559) Prohibition on sales activities and practices without a license or without an appointment.

105.7(1) License required. No person shall advertise, sell, promote, or offer to furnish cemetery merchandise, funeral merchandise, funeral services, or a combination thereof when performance or delivery may be more than 100 days following the initial payment of the account unless the person either:

a. Holds an active preneed seller license issued by the commissioner pursuant to Iowa Code section 523A.501 as amended by 2007 Iowa Acts, Senate File 559, section 16; or

b. Holds an active sales agent license issued by the commissioner pursuant to Iowa Code section 523A.502 as amended by 2007 Iowa Acts, Senate File 559, section 17, and the person is an appointed sales agent of a person holding a preneed seller license issued by the commissioner pursuant to Iowa Code section 523A.501 as amended by 2007 Iowa Acts, Senate File 559, section 16.

105.7(2) Prohibited activities. A person to whom a license has not been issued by the commissioner, a licensee whose license has expired, is inactive, or is suspended, or a sales agent who is not appointed with a preneed seller, may not:

a. Conduct any of the activities for which a license is required pursuant to Iowa Code chapter 523A or rule 191—103.1(523A,82GA,SF559);

b. Post or display the licensee's license;

c. Use a license certificate or a license number;

d. Agree to perform any term of an agreement, whether or not pursuant to a written purchase agreement, to furnish cemetery merchandise, funeral merchandise, funeral services, or a combination thereof, if the sale of the merchandise or services is subject to Iowa Code chapter 523A and the sale is after the renewal date of the license;

e. Execute an agreement or agree to perform any term of an agreement, or accept any payment or funding, including the assignment of ownership of or proceeds from an insurance policy or annuity, whether or not pursuant to a written purchase agreement, related to the purchase of cemetery merchandise, funeral merchandise, funeral services, or a combination thereof, if the sale of the merchandise or services is subject to Iowa Code chapter 523A and the sale is after the renewal date of the license.